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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/509,637	06/02/2000	KALEVI AHOLA	027566-016	7880

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EXAMINER

BORLINGHAUS, JASON M

ART UNIT

PAPER NUMBER

3628

DATE MAILED: 08/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/509,637

Applicant(s)

AHOLA, KALEVI

Examiner

Jason M. Borlinghaus

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 5-11 and 13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 5-11 and 13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 March 2000 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 6/02/2000
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 1/5/2005 has been entered.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1 – 3, 5 – 11 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Taskett (US Patent 5,991,748) in view of Disclosed Prior Art (applicant's specification).

Regarding Claim 1, Taskett discloses a method of paying calls and/or services in a telecommunications network, wherein said network is provided with user accounts for individual users of the telecommunications network, said user accounts enabling prepaid calls and/or an access to various services for said users, comprising the steps of:

- opening (accessing) a prepaid account (prepaid, remote memory account – see abstract), that is associated with an individual user account, with a network loading service (calling station). (“A caller uses calling station 306 to dial access number 140 on calling card 105. Once host system 308 is connected to calling station 306 as shown at block 602, host computer 308 executes block 604 prompting the caller for the authorization number 142. The prompt may be a tone that the subscriber recognizes as a prompt for account code 142 or audio instructions requesting the subscriber to input account code 142...At block 606, the host computer 308 accesses account database 310 and determines if account code 142 is valid.” – see col. 6, lines 44 – 59 – establishing opening a prepaid account via a network loading service);
- loading (regenerating) the prepaid account with an amount purchased from a prepaid service provider (transaction account – see abstract. Taskett indicates that transaction account could be a prepaid card (see col. 6, lines 25 – 28), establishing that the amount could be purchased from a prepaid service provider.) (“If the regeneration option was selected

at block 614, host system 308 executes the requested function and executes block 618 prompting the caller for an amount to be regenerated...To regenerate the card 105, the host computer 308 prompts the caller with "press one to purchase \$10 of calling time, press two to purchase \$20 of calling time, press three to purchase \$30 of calling time..." and so on. Alternatively, the caller enters the amount of money or units to purchase by pressing the corresponding number or series of numbers on the phone keypad and then entering the pound sign ("#") to signal completion." – see col. 7, lines 09 – 22);

- entering the amount of the prepaid balance into a dedicated record in said network accessible by said loading service. ("Host system 308 executes block 620 regenerating card 105 by finding the data record corresponding to the particular account code 142 by searching a predetermined field (e.g., field 506) of data records 504(a)-504(n). Once the appropriate data record is found, host computer 308 retrieves the necessary information from fields 512, 514, 516 relating to the transaction instrument 205 and transfers the selected amount of funds to telephone card 105." – see col. 7, lines 30 – 37);
- a user associated with the user account accessing said loading service (calling station) through a user interface operationally connected to the network, wherein the user interface is a mobile communications apparatus or a fixed line communications apparatus (phone). ("Alternatively, it may

be desirable to enter the access phone number 140 and account code 142 through the input/output module 318 of phone 306." – see col. 6, lines 52 – 54);

- determining that the balance in the user account is inadequate for the cost of the service requested by the user. ("As the call in (sic) monitored, the host computer 308 continuously decreases the balance of account 142 throughout the duration of the call connection. As the account 142 decreases, the host system 308 executes block 706 to monitor whether the account balance has dropped to a level whereby only enough funds remain to pay for 1 minute. When only one minute (or some other predetermined amount of time or money) remains, the host computer 308 executes block 708 warning the caller of the time remaining before disconnecting the call. The warning may an audible beep, a recorded voice announcement (e.g., "You have one minute of time remaining"), or any other suitable means for informing the user." – see col. 7, lines 53 – 65); and
- transferring a requested amount from said prepaid account to said individual user account in real-time during the use of the service by means of the user interface and the network loading service ("In a preferred embodiment, the call connection between the caller and called party is not disconnected during the regenerating process." – see col. 8, lines 15 – 19), wherein the loading (regenerating) comprises steps of

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- decreasing the balance of said prepaid account (transaction account) by the requested amount. ("Once the appropriate data record is found, host computer 308 retrieves the necessary information from fields 512, 514, 516 relating to the transaction instrument 205 and transfers the selected amount of funds to telephone card 105." – see col. 7, lines 30 – 37); and
- loading a corresponding amount of balance into the associated individual user account (supra – see col. 7, lines 30 – 37).

Taskett does not teach discloses a method of paying calls and/or services in a telecommunications network comprising an intelligent network, wherein said intelligent network is provided with user accounts for individual users of the telecommunications network, said user accounts enabling prepaid calls and/or an access to various services for said users, comprising the steps of:

- opening a prepaid account, that is associated with an individual user account, with an intelligent network loading service;
- loading the prepaid account with an amount purchased from a prepaid service provider;
- entering the amount of the prepaid balance into a dedicated record in said intelligent network accessible by said loading service;
- a user associated with the user account accessing said intelligent network loading service through a user interface operationally connected to the intelligent network, wherein the user interface is a mobile communications apparatus or a fixed line communications apparatus;

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- determining that the balance in the user account is inadequate for the cost of the service requested by the user; and
- transferring a requested amount from said prepaid account to said individual user account in real-time during the use of the service by means of the user interface and the intelligent network loading service, wherein the loading comprises steps of
- decreasing the balance of said prepaid account by the requested amount and
- loading a corresponding amount of balance into the associated individual user account.

Intelligence networks are old and well known in the art of computer architecture. As evidenced by Disclosed Prior Art which states "The term intelligent network is well known in the art and an intelligent network includes a variety of nodes that allows the architecture to be modified to control services." (see specification, page 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Taskett by incorporating an intelligent network, as was disclosed by Disclosed Prior Art, to capture the benefits of the intelligent network's advantages to control services, such as the telecommunications service discussed above.

Regarding Claim 2, Taskett discloses a method wherein the loading of said individual user account includes:

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- the user entering an individual number string (phone number or account code) indicated by a prepaid voucher (prepaid card) or similar to the network loading service through said user interface (phone). ("A caller uses calling station 306 to dial access number 140 on calling card 105. Once host system 308 is connected to calling station 306 as shown at block 602, host computer 308 executes block 604 prompting the caller for the authorization number 142. The prompt may be a tone that the subscriber recognizes as a prompt for account code 142 or audio instructions requesting the subscriber to input account code 142. Alternatively, it may be desirable to enter the access phone number 140 and account code 142 through the input/output module 318 of phone 306." – see col. 6, lines 45 – 54);
- said loading service comprising a specific database including said record defining the amount of the prepaid balance (transaction instrument information). ("Host system 308 executes block 620 regenerating card 105 by finding the data record corresponding to the particular account code 142 by searching a predetermined field (e.g., field 506) of data records 504(a)-504(n). Once the appropriate data record is found, host computer 308 retrieves the necessary information from fields 512, 514, 516 relating to the transaction instrument 205 and transfers the selected amount of funds to telephone card 105." – see col. 7, lines 31 – 37); and

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- loading a desired amount of balance from the record of the database to the individual user account. (“Subsequently, account balance 510 is updated to reflect the fund transfer.” – see col. 7, lines 30 – 37);
- wherein the correct record of the database is indicated by means of the number string (account code). (“Host system 308 executes block 620 regenerating card 105 by finding the data record corresponding to the particular account code 142 by searching a predetermined field (e.g., field 506) of data records 504(a)-504(n). Once the appropriate data record is found, host computer 308 retrieves the necessary information from fields 512, 514, 516 relating to the transaction instrument 205 and transfers the selected amount of funds to telephone card 105.” – see col. 7, lines 31 – 37).

Taskett does not teach a method wherein the loading of said individual user account includes:

- the user entering an individual number string indicated by a prepaid voucher or similar to the intelligent network loading service through said user interface; and
- said loading service comprising a specific database including said record defining the amount of the prepaid balance; and loading a desired amount of balance from the record of the database to the individual user account, wherein the correct record of the database is indicated by means of the number string.

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Intelligence networks are old and well known in the art of computer architecture. As evidenced by Disclosed Prior Art which states "The term intelligent network is well known in the art and an intelligent network includes a variety of nodes that allows the architecture to be modified to control services." (see specification, page 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Taskett by incorporating an intelligent network, as was disclosed by Disclosed Prior Art, to capture the benefits of the intelligent network's advantages to control services, such as the telecommunications service discussed above.

Regarding Claim 3, Taskett discloses wherein the individual user accounts are accounts which define the amount loaded by telephone number buttons, further comprising the steps:

- a telephone number button corresponding to the requested amount being subtracted from a database associated with the prepaid voucher or similar (prepaid card). ("The prompt may be any of the following messages: "Press one to purchase \$10 of calling time; two to purchase \$20 of calling time; three to purchase \$30 of calling time..." and so on. At that point, the caller executes block 712 inputting the amount to regenerate card 105. Host computer 308 executes block 714 finding the data record corresponding to the particular account code 142 by searching field 506 of data records 504(a)-504(n). Host system 308 then retrieves the necessary information from fields 512, 514, 516 relating to associated transaction

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instrument 205. The running balance field 510 is updated.” – see col. 8, lines 1 – 11); and

- the corresponding amount is loaded to the account of the user. (“The running balance field 510 is updated.” – see col. 8, line 11).

Neither Taskett nor Disclosed Prior Art teach a method wherein the individual user accounts are pulse accounts which define the balance by terms of pulses, further comprising the steps:

- an amount of pulses corresponding to the requested amount being subtracted from a database associated with the prepaid voucher or similar, and
- the corresponding amount of pulses is loaded to the pulse account of the user.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Taskett and Disclosed Prior Art to allow for any definition of the user accounts and denotation of account additions/subtraction that the inventor desired, such as defining the accounts based upon pulses, telephone number keytones or alphanumeric strings.

Regarding Claim 5, Taskett discloses a method wherein:

- the user is prompted to transfer an additional amount from the prepaid account to the individual user account by an announcement through the user interface, or to increase the balance of the prepaid account. (“As the call in (sic) monitored, the host computer 308 continuously decreases the

balance of account 142 throughout the duration of the call connection. As the account 142 decreases, the host system 308 executes block 706 to monitor whether the account balance has dropped to a level whereby only enough funds remain to pay for 1 minute. When only one minute (or some other predetermined amount of time or money) remains, the host computer 308 executes block 708 warning the caller of the time remaining before disconnecting the call. The warning may be an audible beep, a recorded voice announcement (e.g., "You have one minute of time remaining"), or any other suitable means for informing the user.) After the caller has been warned, the host computer executes block 710 prompting the caller to regenerate the phone card 105. The prompt may be any of the following messages: "Press one to purchase \$10 of calling time; two to purchase \$20 of calling time; three to purchase \$30 of calling time..." and so on. At that point, the caller executes block 712 inputting the amount to regenerate card 105. " – see col. 7, line 53 – col. 8, line 5).

Regarding Claim 6, Taskett discloses a method further comprising the steps of:

- identifying an incoming call in the network service by means of the A-number (account code) information of the user. ("Once host system 308 is connected to calling station 306 as shown at block 602, host computer 308 executes block 604 prompting the caller for the authorization number 142. The prompt may be a tone that the subscriber recognizes as a

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prompt for account code 142 or audio instructions requesting the subscriber to input account code 142." – see col. 6, lines 44 – 59);

- giving a security code (personal identification number) of the individual user to the loading service. ("...transmitting an account number (209) and/or personal identification number from said calling party to said host computer." – see Claim 5);
- giving the amount to be loaded to the user interface and transmitting an indication about said amount to the loading service. ("The prompt may be any of the following messages: "Press one to purchase \$10 of calling time; two to purchase \$20 of calling time; three to purchase \$30 of calling time..." and so on. At that point, the caller executes block 712 inputting the amount to regenerate card 105. Host computer 308 executes block 714 finding the data record corresponding to the particular account code 142 by searching field 506 of data records 504(a)-504(n). Host system 308 then retrieves the necessary information from fields 512, 514, 516 relating to associated transaction instrument 205. The running balance field 510 is updated." – see col. 8, lines 1 – 11); and

Taskett does not teach a method further comprising the steps of:

identifying an incoming call in the intelligent network service by means of the A-number information of the user; and

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announcing, from the loading service of the intelligent network to the user interface, the new balance in the individual user account and that the transactions have been accomplished.

Intelligence networks are old and well known in the art of computer architecture. As evidenced by Disclosed Prior Art which states "The term intelligent network is well known in the art and an intelligent network includes a variety of nodes that allows the architecture to be modified to control services." (see specification, page 2).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Taskett by incorporating an intelligent network, as was disclosed by Disclosed Prior Art, to capture the benefits of the intelligent network's advantages to control services, such as the telecommunications service discussed above.

Balance announcements are old and well known in the art of computerized transaction and banking systems. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Taskett, which already possesses verbal capacity (col. 7, lines 15 – 21), and Disclosed Prior Art by incorporating a balance announcement at the completion of the loading procedure to alert the user of the new post-loading balance.

Regarding Claim 7, Tackett discloses a method wherein announcements to the user via the user interface are given as a text message or as a voice message. (supra – see col. 8, lines 1 – 11).

Regarding Claim 8, Taskett discloses a method further comprising the steps of:

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- setting a time limitation (expiration date/additional fields) for the validity of the prepaid balance in the prepaid voucher or similar (prepaid card). (“A field 512 suitably indicates whether transaction card 205 is a prepaid card, a debit card, an American Express credit card, or other credit card associated with the calling card 105. A field 514 suitably corresponds to the authorization or identification number of transaction card 205. A field 516 includes the expiration date of transaction card 205 or other information necessary for transferring funds from card 205 to prepaid card 105. One or more additional fields 518 may include additional information necessary to accommodate other data associated with the cardholder, the account, and the like.” - see col. 6, lines 25 – 36).

Neither Taskett nor Disclosed Prior Art teach a method further comprising the steps of:

- deleting expired prepaid vouchers or similar from the dedicated record of the database.

Deleting expired or non-viable files from databases is old and well known in the art of database and record management. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Taskett and Disclosed Prior Art by incorporating the ability to delete expired prepaid vouchers from the database.

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Regarding Claims 9 – 11, further apparatus/arrangement claims would have been obvious from method claims rejected above, Claim 1 – 3, and are therefore rejected using the same art and rationale.

Regarding Claim 13, further system claim would have been obvious from method claim rejected above, Claim 1, and is therefore rejected using the same art and rationale.

Response to Arguments

Regarding rejection based upon addition of new matter, the applicant argues that the previous examiner's finding that the applicant's previous amendment to the specification constituted new matter was incorrect and that the applicant's amendment to the specification did not constitute new matter. The current examiner agrees with applicant's assessment that the applicant's amendment to the specification does not constitute new matter but merely clarifies the background of the invention and its relevant field of technology. The rejection based upon addition of new matter is hereby rescinded.

Regarding rejection based upon prior art, applicant's arguments with respect to Claims 1 - 13 have been considered but are moot in view of the new ground(s) of rejection.

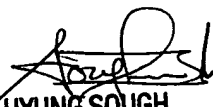
Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Borlinghaus whose telephone number is (571) 272-6924. The examiner can normally be reached on 8:30am-5:00pm M-F.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hyung Sough can be reached on (571) 272-6799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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